

ARIZONA STATE VETERINARY MEDICAL EXAMINING BOARD
1740 W. ADAMS ST., SUITE 4600, PHOENIX, ARIZONA 85007
PHONE (602) 364-1PET (1738) FAX (602) 364-1039
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Received
Feb 10, 2021

COMPLAINT INVESTIGATION FORM

If there is an issue with more than one veterinarian please file a separate Complaint Investigation Form for each veterinarian

PLEASE PRINT OR TYPE

FOR OFFICE USE ONLY

Date Received: FEB. 10, 2021

Case Number: 21-90

A. THIS COMPLAINT IS FILED AGAINST THE FOLLOWING:

Name of Veterinarian/CVT: Hanna Wachtel, DVM, CVA, CCRT

Premise Name: 1st Pet Veterinary Centers

Premise Address: 18453 N 7th Avenue

City: Phoenix State: AZ Zip Code: 85023

Telephone: (623) 849-0700

B. INFORMATION REGARDING THE INDIVIDUAL FILING COMPLAINT*:

Name: Lisa Anthony

Address: [REDACTED]

City: [REDACTED] State: [REDACTED] Zip Code: [REDACTED]

Home Telephone: [REDACTED] Cell Telephone: [REDACTED]

*STATE LAW REQUIRES WE HAVE TO DISCLOSE YOUR NAME UNLESS WE CAN SHOW THAT DISCLOSURE WILL RESULT IN SUBSTANTIAL HARM TO YOU, SOMEONE ELSE OR THE PUBLIC PER A.R.S. § 41-1010. IF YOU HAVE REASON TO BELIEVE THAT SUBSTANTIAL HARM WILL RESULT IN DISCLOSURE OF YOUR NAME PLEASE PROVIDE COPIES OF RESTRAINING ORDERS OR OTHER DOCUMENTATION.

C. PATIENT INFORMATION (1):

Name: Valkyrie

Breed/Species: Labrador Retriever Mix

Age: 7 yr, 10 mo Sex: F Color: Black, White

PATIENT INFORMATION (2):

Name: _____

Breed/Species: _____

Age: _____ Sex: _____ Color: _____

D. VETERINARIANS WHO HAVE PROVIDED CARE TO THIS PET FOR THIS ISSUE:

Please provide the name, address and phone number for each veterinarian.

E. WITNESS INFORMATION:

Please provide the name, address and phone number of each witness that has direct knowledge regarding this case.

Attestation of Person Requesting Investigation

By signing this form, I declare that the information contained herein is true and accurate to the best of my knowledge. Further, I authorize the release of any and all medical records or information necessary to complete the investigation of this case.

Signature: _____

Date: 02-10-2021

F. ALLEGATIONS and/or CONCERNS:

Please provide all information that you feel is relevant to the complaint. This portion must be either typewritten or clearly printed in ink.

Hannah Wachtel did not remove one of my dogs tumors. Her office did not allow me to be with my dog during initial examination so that I could not show them where the tumors were. Initially two tumors were found but there were a total of 4 tumors. They did not do a thorough examination prior to surgery to identify other problem areas. However the doctor did call prior to surgery and told me she only found 3 tumors and asked me where the 4th tumor was. I told her it was on my dogs upper right side of chest area and it felt like a human swollen lymph node. She had her staff call me back and they told me they found the 4th tumor. When I picked up my dog she did not have that tumor removed but instead she removed something unknown to me from the dogs back right side near her back leg. She never called to notify me that she couldn't find the 4th tumor on her chest. Dr. Wachtel was negligent in not doing a proper examination and not obtaining my consent for removal of whatever it was that she removed on my dogs right back side and I wasn't given the option to decide if my dog should instead be rescheduled until all masses were located. I could have easily pointed out the area if I had been allowed to be in the exam room or even by telehealth/video but I feel that if this was my child and I took her to a doctor to get a tumor removed from the chest and one was removed instead from her back there would be a revocation of this providers license. I would also like to note that the staff also lied to me about my dogs status. I had called on 11:21 AM to check on my dog and the staff said she had her surgery and was resting comfortably. The doctor called at 1:52 PM to let me know she was going to start the surgery but couldn't locate the 4th tumor. My dog was very traumatized by the surgery. This is my son's emotional support dog that has never been in a crate a day in her life. She cried the entire day following her surgery and I am extremely upset that she will have to go through this procedure again. I am asking that you place Dr Wachtel's license on probation so that she can be monitored and kept accountable for her medical decision making without consent.

March 2, 2021

Arizona State Veterinary Medical Examining Board
1740 West Adams Street, Ste. 4600
Phoenix, Arizona 85007



Response to 21-90 (In re: Hanna Wachtel DVM)

To Whom It May Concern:

Valkyrie Anthony is a 7yr 11mo female intact Labrador Retriever mix. She presented initially to 1st Pet Veterinary Centers-North Valley on January 15, 2021 for a mammary mass noted about one week prior to the exam and a mass on the left flank without recent growth. She was seen by Dr. Arielle Hatcher wherein three masses were identified and discussed. Valkyrie had a mammary mass, a likely supernumerary nipple, and non-pigmented, hairless, raised mass on the left flank/cranial abdomen. All three masses were discussed, and neither the owner nor Dr. Hatcher noted a 4th mass. The mammary mass was the most concerning because of a potential for malignancy and surgical excision was recommended. Dr. Hatcher also discussed hormonal influence, and recommended a spay as well as pre-surgical blood work and survey chest x-rays to check for metastasis and histopathology of the masses. The owner elected minimal diagnostics with a pre-surgical blood panel, and mass removal only with no ovariohysterectomy.

Surgery was offered on February 3, 2021, but the owner was planning to be out of the country and became very upset that the surgery could not be scheduled earlier due to the potential for malignancy with the mammary mass. The owner requested a refund and a call from the hospital manager. Darci Hoefer, the hospital manager, called Mrs. Anthony on 1/26 and offered an additional surgery day with an emergency doctor.

On January 27, 2021, a message was left for Mrs. Anthony informing her of a surgery cancellation for the following day, but the message was never returned.

Darci Hoefer asked if I would pick up an extra general practice (GP) surgery day for February 8, 2021, due to the long wait times for general practice clients. I agreed to help. I have been an emergency doctor for nearly five years with 1st Pet, but have never worked in general practice. As such, I was determined to make this surgery day as smooth as possible and called all of my surgery clients prior to surgery so that I could introduce myself, discuss the procedure and expectations, and answer any questions or concerns they might have.

Due to the current case volume at North Valley's emergency practice, I called Mrs. Anthony on my day off, February 3, 2021, from my cell phone, a blocked number. She initially hung up. After

I called back, Mrs. Anthony answered. On the call, we discussed the three masses noted by Dr. Hatcher during the pre-surgical exam. At that time, the owner only wanted the mammary mass and possible supernumerary nipple removed. She did not want the mass on the flank excised, Valkyrie spayed, or any additional diagnostics performed.

On February 8, 2021, Valkyrie presented for her multiple mass removal. At this time, the owner informed the technician that there were four masses that she would like removed: one on the left side and three on her belly – but the owner was unable to locate the new mass with the technician present as Valkyrie was uncomfortable and evasive with restraint. At the time, I was with another owner and unavailable to speak with Mrs. Anthony during Valkyrie's drop off. We attempted to locate the fourth mass after drop-off; but Valkyrie was again uncomfortable and evasive with handling, and we were unable to identify the additional abdominal mass.

The owner called at 11:24am for an update and was informed by a customer service representative that Valkyrie was resting comfortably, and she should expect a call from me later in the day. At the time, I was in surgery and sterile and unable to take her call. Apparently, Mrs. Anthony assumed that the surgery had been performed by this time, but it had not. I do see how she could interpret the term "resting comfortably" as post-surgical due to her dog's stress.

Valkyrie was anesthetized, and we attempted to locate the mass as described, but were unable to find it. The owner was then called to better identify the mass. Initially, she was upset because she thought the surgery had already been performed. I apologized for the miscommunication. I explained our difficulty in identifying the fourth mass. The owner then described the mass as being on the right side of the chest, but towards the back and not really on the chest. The owner, who is in the "human medical field," said that the mass felt like a lymph node. Comparatively in the morning, the mass had been described to Ashley Bradey, the technician that met with the owner during the surgery drop-off, as on the belly.

Based on this latest conversation with the owner, a soft, lipomatous mass in the right inguinal region was located that fit the owner's description well. The owner was then called by Chelsea Cheseborough, a customer service representative, wherein Chelsea described the mass to the owner as being on the right hind end, being about the size of a BB. The owner did not make any comments at that time that this was not the mass she wanted removed.

Following the surgical procedure, which occurred at 3:08pm, the owner was called. Mrs. Anthony was informed the procedure went well, and all four masses were removed. At this time, I confirmed that she did not want histopathology prior to disposing of the masses. Since Valkyrie was not able to be fully handled on intake, I decided to use dissolvable sutures and buried them, so that suture removal would not be necessary. The owner was notified that pick-up was between 4-6pm, as had been previously discussed, and Valkyrie was sent home on carprofen, an NSAID.

It is disappointing that Mrs. Anthony had a bad experience with 1st Pet Veterinary Centers, and with me personally as I made great effort to accommodate her scheduling request, and meet

her and her pet's needs. I am confused as to why Mrs. Anthony did not mention the fourth mass while providing a history during the pre-surgical exam or in conversation with Dr. Hatcher – or why she didn't inform me of the mass during my pre-surgical consult (at which time she only wanted two of the previously noted 3 masses removed).

As a hospital, we try to be as transparent as possible about expectations; and if Mrs. Anthony did not know that Valkyrie would be kenneled after drop-off, before and after surgery, we will have to change our pre-surgical conversations to be clear. I am saddened that Mrs. Anthony feels that Valkyrie was traumatized by the experience. Had I known her concerns about Valkyrie's stress during the phone consult, I would have prescribed anti-anxiety medication for use prior to drop off and possibly performed her surgery earlier in the day. Finally, while I share Mrs. Anthony's desire for telehealth/video exams, this type of service has never been available through 1st Pet Veterinary Center. Thank you.

Respectfully Submitted,

Hanna Wachtel, D.V.M.

DOUGLAS A. DUCEY
- GOVERNOR -



VICTORIA WHITMORE
- EXECUTIVE DIRECTOR -

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INVESTIGATIVE COMMITTEE REPORT

TO: Arizona State Veterinary Medical Examining Board

FROM: PM Investigative Committee: Adam Almaraz - Chair
Amrit Rai, DVM
Cameron Dow, DVM
Brian Sidaway, DVM - **Recused**

STAFF PRESENT: Tracy A. Riendeau, CVT – Investigations
Marc Harris – Assistant Attorney General

RE: Case: 21-90

Complainant(s): Lisa Anthony

Respondent(s): Hanna Wachtel, DVM (License: 6556)

SUMMARY:

Complaint Received at Board Office: 2/10/21
Committee Discussion: 7/13/21
Board IIR: 8/18/21

APPLICABLE STATUTES AND RULES:

Laws as Amended August 2018
(Lime Green); Rules as Revised
September 2013 (Yellow)

On January 15, 2021, "Valkyrie," a 7+-year-old intact female Labrador mix was presented to Respondent's associate to have a mammary mass evaluated. Three masses were identified and removal was discussed. Pre-surgical diagnostics were recommended as well as a spay procedure, and histopathology. Complainant elected to have blood work performed and declined the other recommendations.

On February 8, 2021, the dog was presented to Respondent to have the masses removed. Complainant stated she found a fourth mass that she wanted removed at that time as well.

Upon discharge, Complainant noted that the fourth mass she wanted removed was not, and Respondent had removed a different mass that Complainant did not give consent to have removed.

Complainant was noticed and did not appear.

Respondent was noticed and appeared with attorney David Stoll.

The Committee reviewed medical records, testimony, and other documentation as described below:

- Complainant(s) narrative: *Lisa Anthony*
- Respondent(s) narrative/medical record: *Hanna Wachtel, DVM*

PROPOSED 'FINDINGS of FACT':

1. On January 15, 2021, the dog was presented to Respondent's associate, Dr. Hatcher, to evaluate a mammary mass. Dr. Hatcher evaluated the dog and three masses were identified and discussed. Neither Complainant nor Dr. Hatcher identified a fourth mass. The mammary mass was the most concerning because of the potential for malignancy and surgical removal was recommended. Dr. Hatcher also recommended the dog be spayed, pre-surgical blood work and radiographs be performed, as well as histopathology of the masses. Complainant elected pre-surgical blood work and mass removal only.

2. Surgery was offered to be performed on February 3, 2021, but Complainant was planning to be out of the country and became upset that surgery could not be scheduled earlier due to the potential for malignancy of the mammary mass. Complainant requested a refund and a call from the hospital manager.

3. On January 26, 2021, hospital manager, Ms. Hoefer, spoke with Complainant. She explained there were no other openings available to be able to perform the surgery earlier at any of their locations. The next available would be February 10th and the dog could be placed on a cancelation list as well.

4. On January 27, 2021, Complainant was called to advise there was a cancellation for the next day and the dog's surgery could be performed. Respondent stated that Complainant did not call back. According to the medical record, Complainant consented and staff went over instructions for drop off the next morning.

5. Ultimately, the surgery was scheduled February 8, 2021 with Respondent.

6. On February 3, 2021, Respondent contacted Complainant to introduce herself and discussed the three masses that were noted by Dr. Hatcher. At that time, Complainant only wanted the mammary mass and possible supernumerary nipple removed. She did not want the mass on the flank removed or the dog spayed. Blood work was performed and revealed the dog was a surgical candidate.

7. On February 8, 2021, the dog was presented to Respondent for the mass removals. At the time of drop off, Complainant told technical staff there were four masses that she would like removed - one on the left side and three on the belly. Complainant could not locate the new mass with staff and Respondent was unavailable to speak with Complainant. The fourth mass was attempted to be located after Complainant dropped the dog off but the dog was not cooperative and Respondent could not identify the additional abdominal mass.

8. Later that day, Complainant called to check on the dog and was informed the dog was resting comfortably. According to Complainant, she was told the dog had surgery and was resting comfortably.

9. Respondent examined the dog. An IV catheter was placed and the dog was started on Lactated Ringer's Solution. The dog was premedicated with hydromorphone, cerenia, and midazolam, induced with alfaxalone, intubated and maintained on isoflurane and oxygen. Respondent and staff attempted to locate the fourth mass Complainant described but were unable to find it. Respondent called Complainant; she was upset initially because she thought the surgery had already been performed. Respondent apologized for the miscommunication and explained that they could not find the fourth mass she wanted removed. Complainant stated the mass felt like a lymph node and near the chest on the right side, but towards the back, not really on the chest. Earlier that morning, Complainant stated it was on the dog's belly.

10. Respondent had a staff member call Complainant once she located a soft, lipomatous mass in the right inguinal area. Complainant did not comment at that time, that it was not the mass she had wanted removed.

11. After the procedure, the dog recovered uneventfully. Respondent called Complainant to let her know that all the four masses had been removed. She confirmed that Complainant did not want to submit the masses for histopathology. Respondent explained that dissolvable sutures were used therefore the dog would not need to return for suture removal. The dog could be picked up later that day and would be discharged with carprofen.

12. Complainant stated that when she picked up the dog, the mass she wanted removed was not taken off but instead Respondent removed something unknown to Complainant. Complainant was concerned that she was not told by Respondent that she could not find the mass on the chest that Complainant wanted removed. She did not give Respondent consent to remove the unknown mass. Complainant was given the option of to reschedule the surgery until all the correct masses could be properly identified – she could have easily pointed out the correct mass if she had been allowed in the exam room or even by telehealth/video.

13. Additionally, Complainant was upset that she had called earlier in the day and was told the dog had her surgery and was resting comfortably. She believes the dog was traumatized by the surgery – the dog had never been in a crate and she cried the entire day following surgery.

14. Respondent and her team were attempting to resolve the matter with Complainant and were considering removing the missed mass at no charge. However, Complainant filed a complaint with the Veterinary Board.

COMMITTEE DISCUSSION:

The Committee discussed that after reviewing the case file materials and obtaining testimony they did not feel there was a violation of the Veterinary Practice Act. Every reasonable attempt was made to remove the correct mass; no harm came to the dog.

COMMITTEE'S PROPOSED CONCLUSIONS of LAW:

The Committee concluded that no violations of the Veterinary Practice Act occurred.

COMMITTEE'S RECOMMENDED DISPOSITION:

Motion: It was moved and seconded the Board:

Dismiss this issue with no violation.

Vote: The motion was approved with a vote of 3 to 0.

The information contained in this report was obtained from the case file, which includes the complaint, the respondent's response, any consulting veterinarian or witness input, and any other sources used to gather information for the investigation.

TR

Tracy A. Riendeau, CVT
Investigative Division